

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63) <input type="checkbox"/> Declaration Submitted with Initial Filing OR <input checked="" type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)	Attorney Docket Number	103.1031.01
	First Named Inventor	Srinivasan VISWANATHAN
	COMPLETE IF KNOWN	
	Application Number	09 / 684,487
	Filing Date	October 4, 2000
	Group Art Unit	Not Assigned
	Examiner Name	Not Assigned

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Recovery of File System Data in File Servers Mirrored File System Volumes

(Title of the Invention)

the specification of which

☐ is attached hereto
OR
☒ was filed on (MM/DD/YYYY) October 4, 2000 as United States Application Number or PCT International Application Number 09/684,487 and was amended on (MM/DD/YYYY) (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)
Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number
or Bar Code Label

22883

OR ☐ Correspondence address below

Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Srinivasan

Family Name
or Surname Viswanathan

Inventor's
Signature

Date

01/17/2001

Residence: City Fremont

State CA

Country US

Citizenship India

Mailing Address 751 Saltillo Place

Mailing Address

City Fremont

State CA

ZIP 95050

Country US

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Steven R.

Family Name
or Surname Kleiman

Inventor's
Signature

Date

Residence: City Los Altos

State CA

Country US

Citizenship US

Mailing Address 157 El Monte Road

Mailing Address

City Los Altos

State CA

ZIP 94022

Country US

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

Please type a plus sign (+) inside this box → ☐

PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☒ Customer Number
or Bar Code Label

22883

OR ☐ Correspondence address below

Name

Address

Address

City

State

ZIP

Country

Telephone

Fax

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name Srinivasan
(first and middle (if any))

Family Name Viswanathan
or Surname

Inventor's
Signature

Date

Residence: City Fremont

State CA

Country US

Citizenship India

Mailing Address 751 Saltillo Place

Mailing Address

City Fremont

State CA

ZIP 95050

Country US

NAME OF SECOND INVENTOR:

☐ A petition has been filed for this unsigned inventor

Given Name Steven R.
(first and middle (if any))

Family Name Kleiman
or Surname

Inventor's
Signature

Date

Residence: City Los Altos

State CA

Country US

Citizenship US

Mailing Address 157 El Monte Road

Mailing Address

City Los Altos

State CA

ZIP 94022

Country US

☐ Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

FEBRUARY 02, 2001

PTAS

SWERNOFSKY LAW GROUP
JOHN C. MERCHANT
P.O. BOX 390013
MOUNTAIN VIEW, CA 94039-00

700003762A

700003762A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/01/2001

REEL/FRAME: 011283/0516

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

VISWANATHAN, SRINIVASAN

DOC DATE: 01/17/2000

ASSIGNOR:

KLEIMAN, STEVEN R.

DOC DATE: 01/16/2000

ASSIGNEE:

NETWORK APPLIANCE, INC.
495 EAST JAVA DRIVE
SUNNYVALE, CALIFORNIA 94089

SERIAL NUMBER: 09684487

FILING DATE: 10/04/2000

PATENT NUMBER:

ISSUE DATE:

ANTIONE ROYALL, EXAMINEE
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

02/01/2001

103.1031.01

FORM PTO-1619A
Expires 06/30/98
OMB 0801-0327700003762
700003762U.S. Department of Commerce
Patent and Trademark Office
PATENT

RECORDATION FORM COVER SHEET

PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
- ☐ Resubmission (Non-Recordation)
Document ID#
- ☐ Correction of PTO Error
Reel # Frame #
- ☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
- ☐ Merger ☐ Other
- U.S. Government**
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Name (line 1) Viewanathan, Srinivasan

Execution Date
Month Day Year
01 17 2001Name (line 2)

Second Party

Name (line 1) Kleiman, Steven R.

Execution Date
Month Day Year
01 16 2001Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1) Network Appliance, Inc.

Name (line 2) a Corporation of California

Address (line 1) 495 East Java Drive

Address (line 2)

Address (line 3) Sunnyvale

CA

94088

City

State/Country

Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name John C. Merchant

Address (line 1) Swernofsky Law Group

Address (line 2) P.O. Box 390013

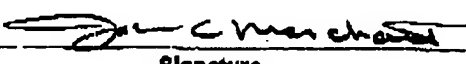
Address (line 3) Mountain View, CA 94039-0013

Address (line 4) United States

FOR OFFICE USE ONLY

Public burden reporting for this collection of information is estimated to average approximately 30 minutes per cover sheet to be recorded, including time for reviewing the document and entering the data needed to complete the cover sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0801-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0801-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

FORM PTO-1619B <small>Expires 09/30/99 OMB 0651-0027</small>		Page 2		U.S. Department of Commerce Patent and Trademark Office PATENT	
Correspondent Name and Address				Area Code and Telephone Number 650.947.0700	
Name John C. Merchant				Reg. No. 45,998	
Address (line 1) Swernofsky Law Group					
Address (line 2) P.O. Box 390013					
Address (line 3) Mountain View, CA 94038-00					
Address (line 4) United States					
Pages Enter the total number of pages of the attached conveyance document including any attachments. # 2					
Application Number(s) or Patent Number(s) <input type="checkbox"/> Mark if additional numbers attached					
<small>Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).</small>					
Patent Application Number(s)			Patent Number(s)		
09834487					
<small>If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.</small>					
Month Day Year 					
Patent Cooperation Treaty (PCT)					
<small>Enter PCT application number only if a U.S. Application Number has not been assigned.</small>					
PCT 		PCT 		PCT 	
PCT 		PCT 		PCT 	
Number of Properties Enter the total number of properties involved. # 1					
Fee Amount Fee Amount for Properties Listed (37 CFR 3.41): \$ 40.00					
Method of Payment: Enclosed <input type="checkbox"/> Deposit Account <input checked="" type="checkbox"/>					
Deposit Account (Enter for payment by deposit account or if additional fees can be charged to the account.)					
Deposit Account Number: # 50-0385					
Authorization to charge additional fees: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>					
Statement and Signature					
<i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.</i>					
John C. Merchant				February 1, 2001	
Name of Person Signing		Signature		Date	

ASSIGNMENT

WHEREAS, We, Srinivasan Viswanathan, a citizen of India, residing at 751 Saltillo Place, Fremont, California 94536, and Steven R. Kleiman, a citizen of United States, residing at 157 El Monte Road, Los Altos, California 94022, have invented a **"Recovery of File System Data in File Servers Mirrored File System Volumes"** for which I have executed application papers for a U.S. patent thereon, which was filed on **October 4, 2000, Serial No. 09/684,487**; and

WHEREAS, Network Appliance, Inc. a California corporation, having a place of business at 495 East Java Drive, Sunnyvale, CA 94089 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, We, Srinivasan Viswanathan, and Steven R. Kleiman, do sell, assign, transfer and set over unto the said Network Appliance, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Network Appliance, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at Sunnyvale, this 17th day of January, 2001.

V. Srinivasan
Srinivasan Viswanathan

Steven R. Kleiman

22883

WHEREAS, We, Srinivasan Viswanathan, a citizen of India, residing at 751 Saltillo Place, Fremont, California 94536, and Steven R. Kleiman, a citizen of United States, residing at 157 El Monte Road, Los Altos, California 94022, have invented a "**Recovery of File System Data in File Servers Mirrored File System Volumes**" for which I have executed application papers for a U.S. patent thereon, which was filed on **October 4, 2000, Serial No. 09/684,487**; and

WHEREAS, Network Appliance, Inc. a California corporation, having a place of business at 495 East Java Drive, Sunnyvale, CA 94089 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, We, Srinivasan Viswanathan, and Steven R. Kleiman, do sell, assign, transfer and set over unto the said Network Appliance, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Network Appliance, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at SUNNYVALE, CA, this 16th day of JANUARY, 2001.

Srinivasan Viswanathan



Steven R. Kleiman

Please type a plus sign (+) inside this box ➡ ☐

PTO/SB/81 (11-96)

Approved for use through 6/30/99. OMB 0651-0035

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**POWER OF ATTORNEY OR
AUTHORIZATION OF AGENT,
NOT ACCOMPANYING
APPLICATION**

Application Number	09/686,487
Filing Date	October 4, 2000
First Named Inventor	Srinivasan VISWANATHAN
Group Art Unit	Not Assigned
Examiner Name	Not Assigned
Attorney Docket Number	103.1031.01

I hereby appoint:

☒ Practitioners at Customer Number

22883

OR

☐ Practitioner(s) named below:

22883

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

☐ Firm or
Individual Name

Address

Address

City

State

ZIP

Country

Telephone

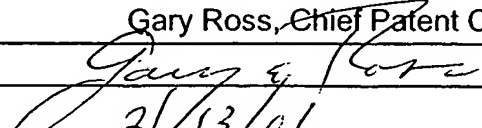
Fax

I am the:

☐ Applicant.

☒ Assignee of record of the entire interest
Certificate under 37 CFR 3.73(b) is enclosed

SIGNATURE of Applicant or Assignee of Record

Name	Gary Ross, Chief Patent Counsel
Signature	
Date	2/13/01

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Srinivasan Viswanathan

Application No./Patent No.: 09/684,487 Filed/Issue Date: October 4, 2000

Entitled: Recovery of File System Data in File Servers Mirrored File System Volumes

Network Appliance, Inc., a Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the Patent and Trademark Office at
 Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

2/13/01
 Date

Gary Ross
 Signature
Gary Ross
 Typed or printed name
Chief Patent Counsel
 Title

22883

COPY

WHEREAS, We, Srinivasan Viswanathan, a citizen of India, residing at 751 Saltillo Place, Fremont, California 94536, and Steven R. Kleiman, a citizen of United States, residing at 157 El Monte Road, Los Altos, California 94022, have invented a "R cov ry of File System Data in Fil Serv rs Mirrored File System Volumes" for which I have executed application papers for a U.S. patent thereon, which was filed on October 4, 2000, Serial No. 09/684,487; and

WHEREAS, Network Appliance, Inc. a California corporation, having a place of business at 495 East Java Drive, Sunnyvale, CA 94089 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, We, Srinivasan Viswanathan, and Steven R. Kleiman, do sell, assign, transfer and set over unto the said Network Appliance, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Network Appliance, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at SUNNYVALE, CA, this 16th day of JANUARY, 2001.

Srinivasan Viswanathan



Steven R. Kleiman

Assignment

COP

22883

103.1031.01

ASSIGNMENT

WHEREAS, We, Srinivasan Viswanathan, a citizen of India, residing at 751 Saltillo Place, Fremont, California 94536, and Steven R. Kleiman, a citizen of United States, residing at 157 El Monte Road, Los Altos, California 94022, have invented a **"Recovery of File System Data in File Servers Mirrored File System Volumes"** for which I have executed application papers for a U.S. patent thereon, which was filed on **October 4, 2000, Serial No. 09/684,487**; and

WHEREAS, Network Appliance, Inc. a California corporation, having a place of business at 495 East Java Drive, Sunnyvale, CA 94089 is desirous of acquiring the exclusive right, title and interest in and to said invention and in and to the Letters Patent to be granted and issued therefor in the United States of America and its territories and possessions, and in all countries foreign thereto;

NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, We, Srinivasan Viswanathan, and Steven R. Kleiman, do sell, assign, transfer and set over unto the said Network Appliance, Inc., its successors and assigns, the full and exclusive right, title and interest in and to said invention, and in and to any and all letters patent to be granted and issued therefor, not only for, to and in the United States of America, its territories and possessions, but also for, to and in all other countries including all priority rights under the International Convention; and we hereby authorize and request the Commissioner of Patents and Trademarks to issue said Letters Patent to said Network Appliance, Inc., its successors and assigns, in accordance with this Assignment.

WITNESS OUR HAND at Sunnyvale, this 17th day of January, 2001.

V. Viswanathan
Srinivasan Viswanathan

Steven R. Kleiman